

### EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Leland Jordan on 03/24/2008. The application has been amended as follows:

#### IN THE CLAIMS:

**Cancel** Claim 2.

Claim 1, line 8, after 'interior of each storage chute', **delete** — . —

Claim 1, line 8, after 'interior of each storage chute', **insert**— , wherein the front and back curved surfaces do not extend to the bottom of the magazine so that a number of cuvette ejection openings are formed at the front curved surface, and corresponding openings are formed on the back curved surface of the magazine between the chute walls. —

2. The following is an examiner's statement of reasons for allowance:

Claims 1, 3, 5 and 7 are allowable over the prior art, since the prior art fails to teach or fairly suggest a magazine for reaction cuvettes to be used in an automatic clinical analyzer, the magazine comprising a generally rectangular storage cell having curved front and back surfaces between a top and a bottom, and a plurality of storage chutes, each chute sized to accommodate generally rectangular reaction cuvettes stacked one



atop another, the storage chutes being defined by the front and back surfaces and a pair of opposing interior chute walls, each interior chute wall having two opposing pairs of ribs protruding into the interior of each storage chute, the front and back curved surfaces of the storage cell not extending to the bottom of the magazine, thus forming a plurality of cuvette ejection openings on the front curved surface and corresponding openings on the back curved surface between the chute walls, as recited in claim 1.

The prior art fails to teach or fairly suggest a cuvette magazine comprising a generally rectangular storage cell having curved front and back surfaces between a top and a bottom, and a plurality of storage chutes sized to accommodate generally rectangular reaction cuvettes stacked one atop another, the storage chutes being defined by the front and back surfaces and a pair of opposing interior chute walls, each interior chute wall having two opposing pairs of ribs protruding into the interior of each storage chute, the magazine further comprising a hinged gate proximate the bottom of the magazine, the gate spring-loaded by a hinge-spring on the curved front surface, the gate adapted to swing outwards from a closed position preventing reaction cuvettes from sliding out of the magazine to an opened position allowing reaction cuvettes to be ejected from the magazine, as recited in claim 7.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance." Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natalia Levkovich



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whose telephone number is 571-272-2462. The examiner can normally be reached on Mon-Fri, 8 a.m.-4p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jill Warden can be reached on 571-272-1267. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Jill Warden/  
Supervisory Patent Examiner, Art Unit 1797